

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - August 12, 1970

Appeal No. 10499 Leonard and Irene S. Vogel, appellants.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of August 18, 1970.

EFFECTIVE DATE OF ORDER - April 8, 1971

ORDERED:

That the appeal for variance from the rear yard requirements of the R-2 District to permit subdivision and erection of semi-detached dwellings at 57th Place near Eastern Avenue, N. E., lots 118, 119, 121, 122, 130, 131 in Square 5214 be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-2 District.
2. The property is currently unimproved contiguous lots.
3. The appellants propose to construct three (3) semi-detached houses on the property (See Exhibits 12 and 13).
4. The site of each house will have a regular shaped back yard with parking in the rear.
5. The proposed site plan shows two lots with less than 3,000 square feet (lot 118 has 2,725.06 square feet and lot 119 has 2,931.82 square feet). Each house will have a minimum of a 10 foot side yard at the building line.
6. No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that appellants have proved a hardship within the meaning of the variance clause of the Zoning

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Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

This Order shall be subject to the following condition:

- a. This appeal for a variance is granted on lots 130 and 131 as shown on BZA Exhibit No. 2-C.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:

PATRICK E. KELLY
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.